



OFFICIAL COMMUNICATION

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San Diego, CA 92121
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Facsimile Transmittal

DATE: December 13, 2005
TO: Mail Stop Petition
Commissioner for Patents
ATTN: Examiner: Meless N. Zewdu
Art Unit: 2683
FAX NUMBER: (571) 273 8300
FROM: Kam T. Tam, Attorney for Applicant
Registration No. 35,756

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Total Number of Pages Sent: 9 (including this transmittal cover sheet)

FILING BY FACSIMILE:

ATTORNEY DOCKET NO.: PA509C

ENCLOSED ARE:

- Petition To Withdraw Holding Abandonment (4 pages)
- RCE Transmittal
- Exhibit A and B (3 pages)

APPLICANT: Krishnamurthi et al.

ASSIGNEE: QUALCOMM Incorporated

SERIAL NO.: : 09/739,923

FILED: December 19, 2000

FOR: SYSTEM AND METHOD FOR BASE STATION INITIATED CALL SETUP

Please contact Tram Q. Le at (858) 651 - 4463 if all pages do not transmit.

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RECEIVED
CENTRAL FAX CENTER **PATENT**
DEC 13 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application:)	Title:
Krishnamurthi et. al.)	System and Method for Base Station
)	Initiated Call Setup
)	
Application No: 09/739,923)	Confirmation No.: 4873
)	
Filed: December 19, 2000)	Examiner: Meless N. Zewdu
)	
)	Group Art Unit: 2683
Attorney Docket No.: PA509C)	

PETITION TO WITHDRAW HOLDING OF ABANDONMENT
UNDER 37 C.F.R. § 1.181(a)

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants received a Notice of Abandonment dated November 30, 2005 for the above-identified application on December 2, 2005. Applicants hereby petition the Commissioner to withdraw holding of abandonment for the instant application.

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8(a))

I hereby certify that this correspondence is, on the date shown below, being:

MAILING

- ☐ deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

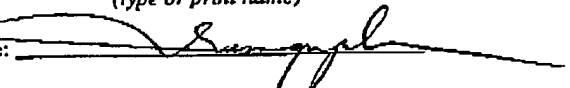
Depositor's Name: _____
(type or print name)

Date: December 13, 2005

FACSIMILE

- ☒ transmitted by facsimile to the Patent and Trademark Office.

Depositor's Name: Tram Q. Le
(type or print name)

Signature: 

Attorney Docket No.: PA509C
Customer No.: 23696

PATENT

REQUEST FOR EXTENSION OF TIME

A Petition for Extension of Time and the appropriate fee are filed herewith to extend the response period for five months from July 16, 2005 to December 16, 2005.

Attorney Docket No.: PA509C
Customer No.: 23696

PATENT

In response to the Final Office Action dated November 15, 2004, and the Advisory Action dated February 24, 2005, Applicants filed a Notice of Appeal on May 13, 2005. The filing of the aforementioned Notice of Appeal was acknowledged by the U.S. Patent Office (hereinafter "the Office") as evidenced in the return postcard (Exhibit A), and further recorded in the PAIR system (Exhibit B).

The 2-month time period for filing an appeal brief is merely a time period and not a shortened statutory period for reply pursuant to 35 U.S.C. § 133, which time period is extendable up to 5 months under 37 C.F.R. § 1.136(a). MPEP § 710.02(d).

In the instant case, the Notice of Appeal was filed by Applicants on May 13, 2005. The Office received the Notice of Appeal on May 16, 2005. The Office's date of receipt of the notice of appeal is the date from which the 2-month time period is measured. MPEP § 1205.01. The last day to file an appeal brief without extension of time is thus July 16, 2005, 2 months from May 16, 2005. Furthermore, the last date to file the appeal brief with extension of time is thus December 16, 2005, 5 months from July 16, 2005. Accordingly, no abandonment should be held for lack of response prior to December 16, 2005. For the foregoing reasons, Applicants respectfully submit that the aforementioned Notice of Abandonment was incorrectly sent out by the Office.

Accompanied with this Petition, Applicants file a Request for Continued Examination (RCE) pursuant to 37 C.F.R. § 1.114.

Attorney Docket No.: PA509C
Customer No.: 23696

PATENT

With all the requirements pursuant to 37 C.F.R. § 1.114 properly and timely submitted, Applicants respectfully request Applicants' petition be granted. In the event of any fees that may be due or any overpayments that may be associated with this petition, please charge or deposit the amount to Deposit Account No. 17-0026.

Respectfully submitted,

Dated: December 13, 2005By: 

Kam F. Tam, Reg. No. 35,756
(858) 651-5563

QUALCOMM Incorporated
5775 Morehouse Drive
San Diego, California 92121
Telephone: (858) 658-5787
Facsimile: (858) 658-2502

Attorney Docket No.: PA509C
Customer No.: 23696

Exhibit A

QUALCOMM

STAMP HEREON ACKNOWLEDGES RECEIPT OF THE FOLLOWING
IN THE U.S. PATENT AND TRADEMARK OFFICE May 13, 2005):

DOCKET NO.: PA509C KTT/tqi (CUSTOMER NO. 23696)

ENCLOSED ARE:
NOTICE OF APPEAL (IN DUPLICATE); TRANSMITTAL LETTER (IN DUPLICATE); AND
POSTCARD

APPLICANT: Krishnamurthi et al.

ASSIGNEE: QUALCOMM Incorporated

SERIAL NO.: 09/739,923

FILED: December 19, 2000

FOR: SYSTEM AND METHOD FOR BASE STATION INITIATED CALL SETUP

STAMP HERE SHOWING RECEIPT (THANK YOU):





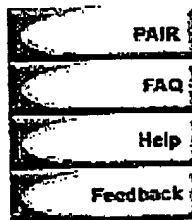
United States Patent and Trademark Office

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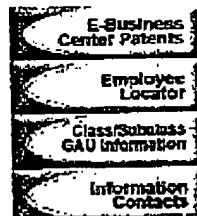
PATENT APPLICATION INFORMATION RETRIEVAL



Exhibit B



Other Links



Printer Friendly Version

Search results as of: 12-12-2005::12:12

Search results for application number: 09/739,923

Application Number:	09/739,923	Customer Number:	-
Filing or 371(c) Date:	12-19-2000	Status:	Abandoned - Failure Respond to an Office
Application Type:	Utility	Status Date:	11-28-2005
Examiner Name:	ZEWDU, MELESS NMN	Location:	ELECTRONIC
Group Art Unit:	2683	Location Date:	-
Confirmation Number:	4873	Earliest Publication No:	US 2001-0023186 A1
Attorney Docket Number:	QCPA509C	Earliest Publication Date:	09-20-2001
Class/ Sub-Class:	455/450	Patent Number:	-
First Named Inventor:	Rajeev Krishnamurthi, San Diego, CA	Issue Date of Patent:	-
Title Of Invention:	System and method for base station initiated call setup		

Select Search Option

Continuity Data

Search

Image File Wrapper

File History

Date	Contents Description
11-30-2005	Mail Abandonment for Failure to Respond to Office Action
11-28-2005	Abandonment for Failure to Respond to Office Action
05-16-2005	Notice of Appeal Filed
05-16-2005	Request for Extension of Time - Granted
02-24-2005	Mail Advisory Action (PTOL - 303)
02-22-2005	Advisory Action (PTOL-303)
02-09-2005	Date Forwarded to Examiner
01-31-2005	Amendment after Final Rejection
01-31-2005	Workflow incoming amendment IFW
11-15-2004	Mail Final Rejection (PTOL - 326)
11-13-2004	Final Rejection
10-26-2004	IFW TSS Processing by Tech Center Complete
12-19-2000	Reference capture on IDS
09-13-2004	Date Forwarded to Examiner
08-03-2004	Response after Non-Final Action
08-03-2004	Request for Extension of Time - Granted

08-03-2004	Workflow incoming amendment IFW
04-14-2004	Mail Non-Final Rejection
04-13-2004	Non-Final Rejection
02-17-2004	Date Forwarded to Examiner
02-06-2004	Response after Non-Final Action
11-03-2003	Mail Non-Final Rejection
10-30-2003	Non-Final Rejection
09-03-2003	Case Docketed to Examiner in GAU
07-16-2003	Case Docketed to Examiner in GAU
04-08-2003	Case Docketed to Examiner in GAU
02-05-2002	Case Docketed to Examiner in GAU
01-16-2002	Case Docketed to Examiner in GAU
01-16-2002	Case Docketed to Examiner in GAU
06-28-2001	Case Docketed to Examiner in GAU
12-19-2000	Information Disclosure Statement (IDS) Filed
02-12-2001	Preliminary Amendment
06-13-2001	Application Dispatched from OIPE
06-13-2001	Correspondence Address Change
05-15-2001	Correspondence Address Change
02-09-2001	IFW Scan & PACR Auto Security Review
12-19-2000	Initial Exam Team nn

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